



## Senate

General Assembly

**File No. 522**

February Session, 2012

Substitute Senate Bill No. 273

*Senate, April 18, 2012*

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT CONCERNING THE CARE 4 KIDS PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-749 of the 2012 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2012*):

4 (a) The Commissioner of Social Services shall establish and operate  
5 a child care subsidy program to increase the availability, affordability  
6 and quality of child care services for families with a parent or caretaker  
7 who is working, attending high school or who receives cash assistance  
8 under the temporary family assistance program from the Department  
9 of Social Services and is participating in an approved education,  
10 training, or other job preparation activity. Services available under the  
11 child care program shall include the provision of child care subsidies  
12 for children under the age of thirteen or children under the age of  
13 nineteen with special needs. The department shall open and maintain  
14 enrollment for the child care subsidy program and shall administer  
15 such program within the existing budgetary resources available. The

16 department shall issue a notice on the department's Internet web site  
17 and shall provide written notice to recipients of program benefits and  
18 to service providers any time the department closes the program to  
19 new applications, changes eligibility requirements, changes program  
20 benefits or makes any other change to the program's status or terms,  
21 provided the department shall not be required to issue such notice  
22 when the department expands program eligibility. Any change in the  
23 department's acceptance of new applications, eligibility requirements,  
24 program benefits or any other change to the program's status or terms  
25 for which the department is required to give notice pursuant to this  
26 subsection, shall not be effective until thirty days after the department  
27 issues such notice.

28 (b) The commissioner shall establish income standards for  
29 applicants and recipients at a level to include a family with gross  
30 income up to fifty per cent of the state-wide median income, except the  
31 commissioner (1) may increase the income level to up to seventy-five  
32 per cent of the state-wide median income, (2) upon the request of the  
33 Commissioner of Children and Families, may waive the income  
34 standards for adoptive families so that children adopted on or after  
35 October 1, 1999, from the Department of Children and Families are  
36 eligible for the child care subsidy program, and (3) on and after March  
37 1, 2003, shall reduce the income eligibility level to up to fifty-five per  
38 cent of the state-wide median income for applicants and recipients  
39 who qualify based on their loss of eligibility for temporary family  
40 assistance. The commissioner may adopt regulations in accordance  
41 with chapter 54 to establish income criteria and durational  
42 requirements for such waiver of income standards.

43 (c) The commissioner shall establish eligibility and program  
44 standards including, but not limited to: (1) A priority intake and  
45 eligibility system with preference given to serving recipients of  
46 temporary family assistance who are employed or engaged in  
47 employment activities under the department's "Jobs First" program,  
48 working families whose temporary family assistance was discontinued  
49 not more than five years prior to the date of application for the child

50 care subsidy program, teen parents, low-income working families,  
51 adoptive families of children who were adopted from the Department  
52 of Children and Families and who are granted a waiver of income  
53 standards under subdivision (2) of subsection (b), and working  
54 families who are at risk of welfare dependency; (2) health and safety  
55 standards for child care providers not required to be licensed; (3) a  
56 reimbursement system for child care services which account for  
57 differences in the age of the child, number of children in the family, the  
58 geographic region and type of care provided by licensed and  
59 unlicensed caregivers, the cost and type of services provided by  
60 licensed and unlicensed caregivers, successful completion of fifteen  
61 hours of annual in-service training or credentialing of child care  
62 directors and administrators, and program accreditation; (4)  
63 supplemental payment for special needs of the child and extended  
64 nontraditional hours; (5) an annual rate review process for providers  
65 which assures that reimbursement rates are maintained at levels which  
66 permit equal access to a variety of child care settings; (6) a sliding  
67 reimbursement scale for participating families; (7) an administrative  
68 appeals process; (8) an administrative hearing process to adjudicate  
69 cases of alleged fraud and abuse and to impose sanctions and recover  
70 overpayments; (9) an extended period of program and payment  
71 eligibility when a parent who is receiving a child care subsidy  
72 experiences a temporary interruption in employment or other  
73 approved activity; and (10) a waiting list for the child care subsidy  
74 program that reflects the priority and eligibility system set forth in  
75 subdivision (1) of this subsection, which is reviewed periodically, with  
76 the inclusion of this information in the annual report required to be  
77 issued annually by the Department of Social Services to the Governor  
78 and the General Assembly in accordance with subdivision (10) of  
79 section 17b-733. Such action will include, but not be limited to, family  
80 income, age of child, region of state and length of time on such waiting  
81 list.

82 (d) Not later than January 1, 2011, an applicant determined to be  
83 eligible for program benefits shall remain eligible for such benefits for  
84 a period of not less than eight months from the date that such

85 applicant is determined to be eligible, provided the commissioner has  
86 not determined, during such eight-month period, that the applicant's  
87 circumstances have changed so as to render the applicant ineligible for  
88 program benefits. The commissioner shall not make an eligibility  
89 determination for a recipient of program benefits more than one time  
90 per eight-month period, except as provided in subsection [(e)] (f) of  
91 this section.

92 (e) Within available appropriations, a recipient of program benefits  
93 who takes unpaid leave from her employment due to the birth or  
94 impending birth of a child shall be granted not more than twelve  
95 weeks of payment eligibility during the leave if: (1) The recipient  
96 intends to return to work at the end of the unpaid leave; (2) the  
97 recipient verifies that eligibility is needed to prevent the loss of a slot  
98 in a school-based program or licensed child care setting; and (3) the  
99 child receiving child care services under the program continues to  
100 attend the program during the recipient's leave.

101 [(e)] (f) Not later than October 15, 2011, the commissioner shall  
102 submit a report, in accordance with the provisions of section 11-4a, to  
103 the joint standing committees of the General Assembly having  
104 cognizance of matters relating to human services and appropriations  
105 and the budgets of state agencies concerning eligibility  
106 redeterminations made on an eight-month basis. Such report shall  
107 include an analysis of overpayments of program benefits made by the  
108 department and administrative costs incurred by the department as a  
109 result of eligibility redeterminations made on an eight-month basis. On  
110 and after October 15, 2011, the commissioner may make eligibility  
111 redeterminations on a six-month basis if, after January 1, 2011, the  
112 department's overpayments of program benefits have increased in  
113 comparison with the period between January 1, 2010, and December  
114 31, 2010, as a result of having an eight-month eligibility  
115 redetermination period.

116 [(f)] (g) A provider under the child care subsidy program that  
117 qualifies for eligibility and subsequently receives payment for child

118 care services for recipients under this section shall be reimbursed for  
 119 such services until informed by the Department of Social Services of  
 120 the recipient's ineligibility.

121 [(g)] (h) All licensed child care providers and those providers  
 122 exempt from licensing shall provide the Department of Social Services  
 123 with the following information in order to maintain eligibility for  
 124 reimbursement: (1) The name, address, appropriate identification,  
 125 Social Security number and telephone number of the provider and all  
 126 adults who work for or reside at the location where care is provided;  
 127 (2) the name and address of the child's doctor, primary care provider  
 128 and health insurance company; (3) whether the child is immunized  
 129 and has had health screens pursuant to the federal Early and Periodic  
 130 Screening, Diagnostic and Treatment Services Program under 42 USC  
 131 1396d; and (4) the number of children cared for by the provider.

132 [(h)] (i) On or after January 1, 1998, the commissioner shall adopt  
 133 regulations, in accordance with the provisions of chapter 54, to  
 134 implement the provisions of this section.

135 [(i)] (j) The commissioner shall submit to the joint standing  
 136 committees of the General Assembly having cognizance of matters  
 137 relating to human services and appropriations and the budgets of state  
 138 agencies a copy of the Child Care and Development Fund Plan that the  
 139 commissioner submits to the Administration for Children and Families  
 140 pursuant to federal law. The copy of the plan shall be submitted to the  
 141 committees not later than thirty days after submission of the plan to  
 142 the Administration for Children and Families.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	17b-749

**KID**            *Joint Favorable Subst. C/R*

APP

**APP**            *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Social Services, Dept.	GF - Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill expands, within available appropriations, the Care 4 Kids program to provide up to 12 weeks of benefits during unpaid maternity leave. Based on the current average benefit level of \$590 per month, 12 weeks of benefits would cost \$1,770 per person. It is not currently known how many individuals would take advantage of this benefit.

#### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Department of Social Services Caseload Information

**OLR Bill Analysis****sSB 273*****AN ACT CONCERNING THE CARE 4 KIDS PROGRAM.*****SUMMARY:**

This bill requires the Care 4 Kids program, within available appropriations, to allow recipients of its child care subsidies who take unpaid leave from their jobs due to the birth or impending birth of a child to continue to be eligible for subsidies for up to 12 weeks if (1) the recipient intends to return to work at the end of the leave, (2) the recipient verifies that payment eligibility is needed to prevent the loss of a child care slot that is in a school-based program or licensed child care setting, and (3) the child for whom benefits have been provided continues to attend that program during the recipient's leave.

By law, the Department of Social Services (DSS) operates the Care 4 Kids program. Under current regulations, the department generally pays a subsidy for an additional month to a parent who takes an unpaid leave (which could include leave for maternity) if the parent intends to return to work at the end of that month, payment is needed to hold the slot in a licensed or school-based child care setting, and the child is still attending the child care program. If someone takes an extended maternity leave, DSS extends the program eligibility for up to 16 weeks but does not provide a subsidy during that time. (The parent must self-declare an intent to return to work at the end of that period.) Apparently, the 16-week extended eligibility period applies to licensed and school-based settings, as well as informal child care arrangements.

EFFECTIVE DATE: October 1, 2012

**BACKGROUND*****Care 4 Kids Program***

Within available appropriations, DSS offers child care subsidies to working families and certain others who have income under 50% of the state median income (SMI). Currently, a family of three with income under \$42,893 per year can qualify. Once eligible, family income can rise to 75% of SMI, which for this family would be \$64,340 annually.

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 8 Nay 4 (03/13/2012)

Appropriations Committee

Joint Favorable Substitute

Yea 54 Nay 0 (04/03/2012)